

ORDINANCE NO. 98-4

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING ORDINANCE NO. 88-11, PERTAINING TO AIRPORT RULES AND REGULATIONS; PROVIDING FOR SAVINGS CLAUSE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 24, 1988, the Board of County Commissioners of Palm Beach County enacted Ordinance 88-11 which adopted the Palm Beach County airport Rules and Regulations; and

WHEREAS, Florida Statute section 332.08 requires that airport rules and regulations be adopted by Resolution of the Board of County Commissioners. The Palm Beach County airport rules and regulations were adopted by both Resolution of the Board of County Commissioners and by Ordinance 88-11; and

WHEREAS, the Board of County Commissioners, in a companion item, is repealing the airport Rules and Regulations and enacting new airport Rules and Regulations, by Resolution; and

WHEREAS, the Board of County Commissioners must repeal Ordinance 88-11 by Ordinance so as to repeal the rules and regulations previously adopted by Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Section 1. Ordinance 88-11, as amended, is hereby repealed in its entirety.

Section 2. SAVINGS CLAUSE.

The provisions of the repealed Ordinance 88-11, as amended, shall continue in full force and effect without interruption, for the sole purpose of prosecuting prior violations of Ordinance 88-11, as amended, which prosecutions occur on or after the effective date of this Ordinance.

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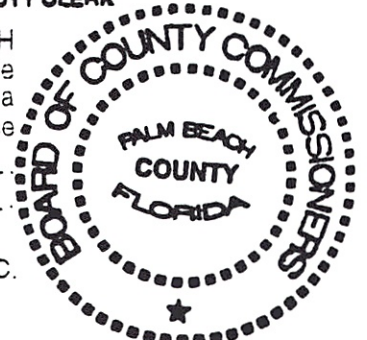
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By Michael J. Lewis  
DEPUTY CLERK

On 2/2/98  
DATED at West Palm Beach, FL on 3/11/98  
DOROTHY H. WILKEN, Clerk  
By: Phyllis A. House D.C.

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12/2/98 to 98-4

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING AIRPORT RULES AND REGULATIONS REGARDING PERSONAL CONDUCT, SAFETY HAZARDS, AIRPORT SECURITY, OBLIGATIONS OF TENANTS, LAND TRAFFIC, VEHICULAR TRAFFIC ON AIR OPERATIONS AREA, AIR TRAFFIC, COMMERCIAL GROUND TRANSPORTATION, NOISE ABATEMENT AND CONTROL, SOLICITATION AND PICKETING; PROVIDING FOR STANDARD FORM DOCUMENTS; PROVIDING FOR PROMULGATION; PROVIDING FOR REPEAL OF RESOLUTIONS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Palm Beach County, through its Department of Airports, owns and operates Palm Beach International Airport, Palm Beach County Park Airport, Palm Beach County Glades Airport, and the North County General Aviation Airport; and

**WHEREAS**, section 332.08, Florida Statutes, provides that where a County operates one or more Airports, its regulation for the government thereof shall be by resolution of the Board of County Commissioners, shall be recorded in the Minutes of the Board and promulgated by posting a copy at the courthouse and at each such airport for four (4) consecutive weeks or by publication once a week in a newspaper published in the county for the same time period; and

**WHEREAS**, certain rules and regulations exist which govern personal conduct, traffic, and transportation on the airports located in Palm Beach County; and

**WHEREAS**, the Board of County Commissioners has determined that it is necessary to repeal the existing rules and regulations and adopt rules and regulations regarding personal conduct, safety hazards, airport security, obligations of tenants, land traffic, vehicular traffic on air operations area, air traffic, commercial ground transportation, noise abatement and control and solicitations and picketing.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

**Section 1.** The foregoing recitals are true and correct and are expressly incorporated herein by reference.

**Section 2.** The Rules and Regulations are hereby adopted as set forth in Attachment One attached hereto and incorporated herein by reference.

**Section 3.** The Board of County Commissioners hereby directs that a copy of this Resolution be recorded in the Minutes of the Board and promulgated by posting a copy at every county owned and operated airport for four (4) consecutive weeks.

**Section 4.** The Rules and Regulations, as adopted by prior Resolutions and codified in the Code of Laws and Ordinances relating to Palm Beach County Government at Appendix B, as may be amended, and all other Resolutions, or parts thereof in conflict with the provisions of this Resolution, are hereby repealed to the extent of such conflict. This Resolution supersedes and repeals all Airport Rules and Regulations adopted before the effective date of this Resolution.

**Section 5.** The provisions of these Rules and Regulations as adopted by this Resolution shall become Appendix B to the Code of Laws and Ordinances relating to Palm Beach County Government. The sections of these Rules and Regulations may be renumbered or relettered to accomplish such, and the words "Resolution," "Division" and "Exhibit" may be changed to "Section", "Article", or any other appropriate word.

**Section 6.** The provisions of the repealed Resolutions, as amended, Resolution 95-1410 and all other Resolutions, in conflict with the provisions of this Resolution, are reenacted herein and shall continue in full force and effect without interruption, for the sole purpose of prosecuting prior violations of the repealed Resolutions, which prosecutions occur on or after the effective date of this Resolution.

**Section 7.** Should any section, paragraph, sentence, clause, or word of the Rules and Regulations as adopted by this Resolution be held unconstitutional, inoperative or void, such holding should not affect the validity of the remainder of the Rules and Regulations or this Resolution.

**Section 8.** This Resolution shall take effect upon its passage in the manner provided by law.

The foregoing Resolution was offered by Commissioner Marcus who moved its adoption. The motion was seconded by Commissioner McCarty and, being put to vote, the vote was as follows:



|                               |          |
|-------------------------------|----------|
| COMMISSIONER BURT AARONSON    | - Aye    |
| COMMISSIONER MAUDE FORD LEE   | - Aye    |
| COMMISSIONER KEN L. FOSTER    | - Absent |
| COMMISSIONER KAREN T. MARCUS  | - Aye    |
| COMMISSIONER MARY McCARTY     | - Aye    |
| COMMISSIONER WARREN H. NEWELL | - Aye    |
| COMMISSIONER CAROL A ROBERTS  | - Aye    |

The Chairman thereupon declared the resolution duly passed and adopted this 24  
day of February, 1998.

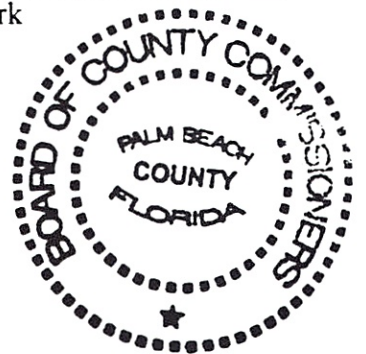
PALM BEACH COUNTY, FLORIDA, BY ITS  
BOARD OF COUNTY COMMISSIONERS

Dorothy H. Wilken, Clerk

By: *Michael I. Lewis*  
Deputy Clerk

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY

By: *R. Deke*  
County Attorney



STATE OF FLORIDA, COUNTY OF PALM BEACH  
I, DOROTHY H. WILKEN, ex-officio Clerk of the  
Board of County Commissioners certify this to be a  
true and correct copy of the original filed in my office  
on 2/24/98  
DATED at West Palm Beach, FL on 3/1/98  
DOROTHY H. WILKEN, Clerk  
By: *Jaylene A. House* D.C.